



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

Baldwin et al.

Serial No.: 10/727,097

Filed: December 3, 2003

Atty. File No.: 50012-00031

For: "METHOD, SYSTEM AND
APPARATUS FOR LABELING
SYRINGES"

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to Applicants' duty of disclosure under 37 C.F.R. §1.56 and 37 C.F.R. §§1.97-1.98, Applicants hereby submit the enclosed PTO Form 1449. The documents identified herein were of record in U.S. Patent Application Serial No. 09/928,007, and since the above-identified patent application is a continuation thereof, copies of the identified documents are not being submitted under 37 C.F.R. §1.98(d). Applicants do not admit that any of such documents, alone or in any combination, is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Moreover, the inclusion of these documents are not to be construed as an admission by Applicants that each such document is prior art as to the above-identified patent application.

Respectfully submitted,

MARSH FISCHMANN & BREYFOGLE LLP

By: 

Thomas R. Marsh
Registration No. 31,039
3151 South Vaughn Way, Suite 411
Aurora, Colorado 80014
(303) 338-0997

Date: 1/7/04

) Group Art Unit: Not Yet Known

) Examiner: Not Yet Known

) INFORMATION DISCLOSURE STATEMENT

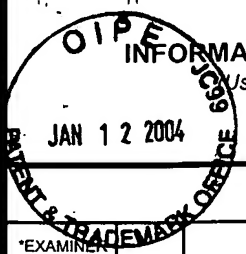
CERTIFICATE OF MAILING

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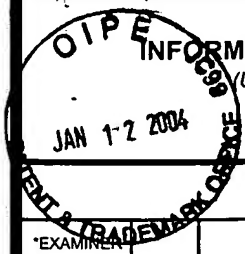
MARSH FISCHMANN & BREYFOGLE LLP

BY: 

Lynn Pennywell

 INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i>				ATTY DOCKET NO. 50012-00031		SERIAL NO. 10/727,097	
				Baldwin et al.			
				FILING December 3, 2003		GROUP Not Yet Known	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1.	2,194,220	03/19/40	Elder	40	637	
	2.	3,228,129	01/11/66	Gwinn et al.	40	21	
	3.	3,391,694	07/09/68	Spaeth	128	218	
	4.	3,597,826	07/28/69	Shields	29	208	
	5.	3,599,389	06/09/69	Hartman	53	266	
	6.	3,653,176	04/04/72	Gess	53	64	
	7.	3,662,517	05/16/72	Tascher et al.	53	282	
	8.	3,683,483	08/15/72	Klettke	29	208	
	9.	3,698,383	10/17/72	Baucom	128	2G	
	10.	3,708,945	01/09/73	Klettke	52	22	
	11.	3,791,009	02/12/74	Gess	29	208	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	57.	WO 98/32690	07/30/98	PCT	B67C	67/00	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
EXAMINER				DATE CONSIDERED			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**INFORMATION DISCLOSURE CITATION***(Use several sheets if necessary)*

ATTY DOCKET NO.

50012-00031

SERIAL NO.

10/727,097

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FILING

December 3, 2003

GROUP

Not Yet Known

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	17.	3,801,291	04/02/74	Shields	29	208	
	13.	3,802,987	04/09/74	Noll	156	296	
	14.	3,807,119	04/30/74	Shields	53	22	
	15.	3,823,818	07/16/74	Shaw	206	390	
	16.	3,835,897	09/17/74	Gess	141	98	
	17.	3,802,987	04/22/75	Josin et al.	221	88	
	18.	3,885,562	05/27/75	Lampkin	128	218R	
	19.	3,955,020	05/04/76	Cavanagh et al.	428	210x	
	20.	3,994,085	11/30/76	Groselake et al.	283	81x	
	21.	4,115,939	09/26/78	Marks	40	310	
	22.	4,118,914	10/10/78	Shields	53	282	

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

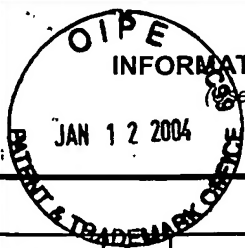
OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<div style="display: flex; align-items: center; justify-content: center;"> <div style="border: 1px solid black; border-radius: 50%; padding: 10px; text-align: center; margin-right: 10px;"> O I P E JAN 12 2004 PATENT & TRADEMARK OFFICE </div> <div> INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i> </div> </div>				ATTY DOCKET NO. 50012-00031		SERIAL NO. 10/727,097	
				Baldwin et al.			
				FILING December 3, 2003		GROUP Not Yet Known	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	23.	4,135,561	01/1979	Senelonge	141	234	
	24.	4,142,633	03/1979	Raghavachari et al.	206	366	
	25.	4,167,229	09/1979	Keusch et al.	206	343	
	26.	4,271,587	06/09/81	Shields	29	809	
	27.	4,278,167	07/14/81	Van Rowwem	40	310x	
	28.	4,312,523	01/26/82	Haines	282	18	
	29.	4,372,681	02/08/83	Sallenbach	428	42.1x	
	30.	4,501,306	02/26/85	Chu et al.	141	94	
	31.	4,579,759	04/01/86	Breuers	428	36	
	32.	4,628,969	12/16/86	Jurgens Jr. et al.	141	1	
	33.	4,658,974	04/21/87	Fujita et al.	40	310x	
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
EXAMINER				DATE CONSIDERED			
<small>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</small>							



ATTY DOCKET NO. 50012-00031		SERIAL NO. 10/727,097
Baldwin et al.		
FILING December 3, 2003		GROUP Not Yet Known

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	34.	4,718,463	01/12/88	Jurgens Jr. et al.	141	11	
	35.	4,763,930	08/16/88	Matney	283	81	
	36.	4,815,625	03/28/89	Filhol et al.	220	23.4	
	37.	4,842,028	06/27/89	Kaufman et al.	141	114	
	38.	4,884,827	12/05/89	Kelley	283	81	
	39.	4,907,394	03/1990	Tschepke et al.	53	412	
	40.	4,921,277	05/01/90	McDonough	283	81	
	41.	5,024,347	06/18/91	Baldwin et al.	222	1	
	42.	5,071,168	12/10/91	Shamos	283	117	
	43.	5,157,894	10/27/92	Mini et al.	53	148	
	44.	5,283,093	02/01/94	All	428	40x	

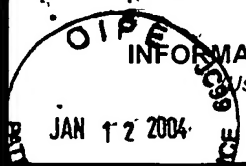
FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
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 <p style="text-align: center;">INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)</p>	ATTY DOCKET NO. 50012-00031	SERIAL NO. 10/727,097
	Baldwin et al.	
	FILING December 3, 2003	GROUP N t Yet Known

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	46.	5,390,469	02/21/95	Shimizu et al.	53	53
	46.	5,366,429	11/22/94	Diemert	283	80
	47.	5,410,827	05/02/95	Smith	40	630x
	48.	5,468,022	11/21/95	Linder et al.	283	81x
	49.	5,609,712	03/1997	Takumi	156	298
	50.	5,651,775	07/29/97	Walker et al.	604	207
	51.	5,692,640	12/02/97	Caulfield et al.	227	70
	52.	5,765,345	06/16/98	Svec	53	453
	53.	5,884,457	03/23/99	Ortiz et al.	53	468
	54.	5,954,700	09/21/99	Kovelman	604	232
	55.	5,984,901	11/16/99	Sudo et al.	604	227

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Use several sheets if necessary)

Docket Number (Optional)

50012-00031

Application Number

10/727,097

Applicant(s)

Baldwin et al.

Filing Date

December 3, 2003

Group Art Unit

Not Yet Known

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

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PATENT
DOCKET NO. LIM-021.01

In re Application of:

Antell, et al.

Application No: 10/732,668

Filed: December 10, 2003

For: Methods And Systems For
Authentication

Art Unit: NYA

Examiner: NYA

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents are not enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed:

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office Action** on the merits, or before the mailing of a **first Office Action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee, AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

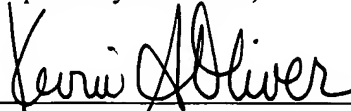
It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

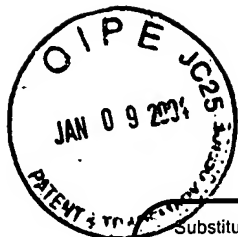
- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Kevin A. Oliver
Attorney/Agent for Applicant(s)
Foley Hoag LLP
155 Seaport Boulevard
Boston, Massachusetts 02210-2600

Date: January 7, 2004
Reg. No. 42,049
Tel. No. (617) 832-1241
Fax No. (617) 832-7000



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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/732,668
Filing Date	December 10, 2003
First Named Inventor	Antell, et al.
Art Unit	NYA
Examiner Name	NYA
Attorney Docket Number	LIM-021.01

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	AA	US-6,496,936	12/17/2002	French, et al.	
	AB	US- 6,321,339	11/20/2001	French, et al.	
	AC	US- 6,282,658	08/28/2001	French, et al.	
	AD	US- 6,263,447	07/17/2001	French, et al.	

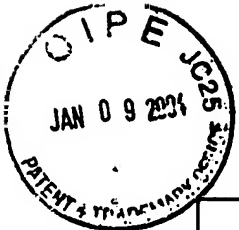
Examiner
Signature

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Certificate of Mailing under 37 CFR 1.8

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on January 7, 2004

Date

Signature

Guy D. Marochino, Jr.

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Information Disclosure Statement (2 pages); PTO/SB/08a (substitute for Form 1449A/PTO) (1 page); Return Receipt Postcard.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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